

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN EXAMINATION BY THE PUBLIC SERVICE)	
COMMISSION OF THE ENVIRONMENTAL)	
SURCHARGE MECHANISM OF BIG RIVERS)	
ELECTRIC CORPORATION FOR THE)	CASE NO.
SIX-MONTH BILLING PERIOD ENDING)	2010-00194
JANUARY 31, 2010 AND THE PASS-THROUGH)	
MECHANISM FOR ITS THREE MEMBER)	
DISTRIBUTION COOPERATIVES)	

O R D E R

On June 25, 2008, the Commission approved Big Rivers Electric Corporation's ("Big Rivers") environmental surcharge application and established a surcharge mechanism.¹ The Commission also approved a mechanism to pass through the environmental surcharge to Big Rivers' three member distribution cooperatives.² Pursuant to KRS 278.183(3), at six-month intervals, the Commission must review the past operations of the environmental surcharge. After hearing, the Commission may, by temporary adjustment in the surcharge, disallow any surcharge amounts found not to be

¹ Case No. 2007-00460, Application of Big Rivers Electric Corporation for Approval of Environmental Compliance Plan and Environmental Surcharge Tariff (Ky. PSC Jun. 25, 2008).

² Case No. 2007-00470, Application of Meade County Rural Electric Cooperative Corporation for Approval of Retail Tariff Riders, Revised Tariffs and New Tariff, and for Approval of Amendment of Wholesale Agreement (Ky. PSC Dec. 12, 2008); Case No. 2008-00009, Application of Kenergy Corp. for Approval of Retail Tariff Riders and Revised Tariffs, Approval of Smelter Agreements, and Approval of Amendment to Wholesale Agreement (Ky. PSC Dec. 12, 2008); and Case No. 2008-00010, Application of Jackson Purchase Energy Corporation for Approval of Retail Tariff Riders, Revised Tariffs, New Tariff and Amendment of Wholesale Agreement (Ky. PSC Dec. 12, 2008).

just and reasonable and reconcile past surcharges with actual costs recoverable pursuant to KRS 278.183(1). Therefore, the Commission hereby initiates a six-month review of the surcharge as billed from August 1, 2009 through January 31, 2010 to the member distribution cooperatives. The Commission also initiates the corresponding review of the pass-through mechanism as billed from September 1, 2009 through February 28, 2010 to retail member customers.³

To facilitate this review, a procedural schedule is set forth in Appendix A, attached hereto and incorporated herein. In accordance with that schedule, Big Rivers is to file prepared direct testimony in support of the reasonableness of the application of its environmental surcharge mechanism during the time period under review. Also, in accordance with that schedule, the three member cooperatives, or Big Rivers on their behalf, are to file prepared direct testimony in support of the reasonableness of the application of the pass-through mechanism during the time periods under review. In addition, Big Rivers is to file its response to the information requested in Appendix B, attached hereto and incorporated herein. Since the period under review in this proceeding may have resulted in over- or under-recoveries, the Commission will entertain proposals to adopt one adjustment factor to net all over- or under-recoveries.

³ The Commission's Orders in Case Nos. 2007-00470, 2008-00009 and 2008-00010 allow the member distribution cooperatives to pass through the environmental surcharge to their customers at approximately the same time as Big Rivers bills the environmental surcharge to the member distribution cooperatives, thus avoiding a billing lag for the member distribution cooperatives. Therefore, the costs incurred from June 2009 through November 2009 are billed to the member distribution cooperatives in the months of August 2009 through January 2010, with these same costs passed through to the member customers on the bills for September 2009 through February 2010.

IT IS HEREBY ORDERED that:

1. Big Rivers and each of its three member distribution cooperatives listed in footnote 2 are made parties to this case.

2. The procedural schedule set forth in Appendix A, attached hereto and incorporated herein, shall be followed in this proceeding.

3. Big Rivers shall appear at the Commission's offices on the date set forth in Appendix A to submit itself to examination on the application of its environmental surcharge as billed to its member distribution cooperatives from August 1, 2009 through January 31, 2010. The three member distribution cooperatives, or Big Rivers on their behalf, shall also submit themselves to examination on the application of the pass-through mechanism as billed to the distribution cooperatives' member customers from September 1, 2009 through February 28, 2010. There shall be no opening statements or summaries of testimony at the public hearing.

4. Big Rivers shall, by the date set forth in Appendix A, file its prepared direct testimony in support of the reasonableness of the application of its environmental surcharge mechanism; and the three member distribution cooperatives, or Big Rivers on their behalf, shall file by that date their prepared direct testimony in support of the reasonableness of the application of the pass-through mechanism during the period under review.

5. Any party filing testimony shall file an original and seven copies.

6. a. The information requested herein is due on or before June 24, 2010. Responses to requests for information shall be appropriately bound, tabbed and indexed and shall include the name of the witness responsible for responding to the

questions related to the information provided, with copies to all parties of record and seven copies to the Commission.

b. Each response shall be answered under oath or, for representatives of a public or private corporation or a partnership or association or a governmental agency, be accompanied by a signed certification of the preparer or person supervising the preparation of the response on behalf of the entity that the response is true and accurate to the best of that person's knowledge, information, and belief formed after a reasonable inquiry.

c. Any party shall make timely amendment to any prior response if it obtains information which indicates that the response was incorrect when made or, though correct when made, is now incorrect in any material respect.

d. For any request to which a party fails or refuses to furnish all or part of the requested information, that party shall provide a written explanation of the specific grounds for its failure to completely and precisely respond.

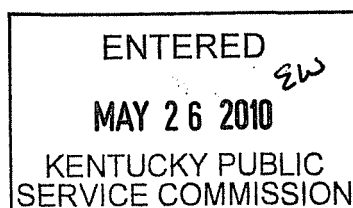
7. Within seven days of the Commission's granting intervention to a party, Big Rivers shall provide the party with a copy of its monthly environmental surcharge reports as filed with the Commission for the review period.

8. Big Rivers' monthly environmental surcharge reports and supporting data for the review period shall be incorporated by reference into the record of this case.

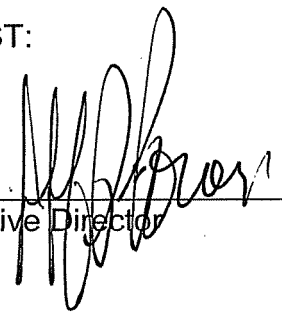
9. The Commission does not look favorably upon motions for continuance. Accordingly, motions for extensions of time with respect to the schedule herein shall be made in writing and will be granted only upon a showing of good cause.

10. Nothing contained herein shall prevent the Commission from entering further Orders in this matter.

By the Commission



ATTEST:



Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2010-00194 DATED **MAY 26 2010**

Big Rivers shall file its prepared direct testimony and
responses to the information requested in Appendix B
no later than.....06/24/10

An informal technical conference is to begin at 1:00 p.m.,
Eastern Daylight Time, in Conference Room 1 of the
Commission's offices at 211 Sower Boulevard,
Frankfort, Kentucky for the discussion of issues.....07/20/10

All additional requests for information to Big Rivers shall
be filed no later than08/06/10

Big Rivers shall file responses to additional requests for
information no later than08/19/10

Intervenor testimony, if any, in verified prepared form
shall be filed no later than.....09/02/10

All requests for information to Intervenors shall be
filed no later than09/16/10

Intervenors shall file responses to requests for
information no later than09/30/10

Public Hearing is to begin at 10:00 a.m., Eastern
Daylight Time, in Hearing Room 1 of the Commission's
offices at 211 Sower Boulevard, Frankfort, Kentucky,
for the purpose of cross-examination of witnesses of
Big Rivers and Intervenors To be scheduled

Briefs, if any, shall be filed by To be scheduled

APPENDIX B

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2010-00194 DATED **MAY 26 2010**

FIRST DATA REQUEST OF COMMISSION STAFF TO BIG RIVERS ELECTRIC CORPORATION

1. Prepare a summary schedule showing the calculation of E(m) and the surcharge factor for the expense months covered by the billing periods under review. Form 1.1 can be used as a model for this summary. Include the two expense months subsequent to the billing period in order to show the over- and under-recovery adjustments for the months included in the billing period. Include a calculation of any additional over- or under-recovery amount Big Rivers believes needs to be recognized for the six-month review. Include all supporting calculations and documentation for the additional over- or under-recovery.

2. For each of the three member distribution cooperatives, prepare a summary schedule showing the distribution cooperative's pass-through revenue requirement for the months corresponding with the six-month review. Include the two months subsequent to the billing period included in the review periods. Include a calculation of any additional over- or under-recovery amount the distribution cooperative believes needs to be recognized for the six-month review. Include all supporting calculations and documentation for the additional over- or under-recovery.

3. Refer to Form 2.5, Operating and Maintenance Expenses, for each of the expense months covered by each billing period under review. For each of the expense

line items listed on this schedule, explain the reason(s) for any change in the expense levels from month to month if that change is greater than plus or minus 10 percent.

Albert Yockey
VP of of Governmental Relations
Big Rivers Electric Corporation
201 Third Street
Henderson, KY 42419-0024